

REMARKS

Amendments

Amendments to the Claims

Applicant has amended claims 11 and 23. No new matter has been added because support for the amendments can be found, *intra alia*, at in Figure 2, and page 11, lines 12-16 of Applicant's specification as originally filed.

Rejections

Rejections under 35 U.S.C. § 101

Claims 23-26

Claims 23-26 stand rejected under 35 U.S.C. § 101 because the Examiner asserts the claimed invention is directed towards non-statutory subject matter. In particular, the Examiner asserts that claims 23-26 are software *per se*. Applicant respectfully submits that claims 23-26, as amended, includes hardware and are not software *per se*. Therefore, Applicants respectfully submit that claims 23-26 satisfy the requirements of 35 U.S.C. § 101 and respectfully requests withdrawal of the rejection to claims 23-26 under 35 U.S.C. § 101.

Allowable Subject Matter

Applicant wishes to thank the Examiner for allowing claims 2-9, 11-14, and 16-21.

SUMMARY

Claims 2-9, 11-14, 16-21 are allowed and claims 23-26 are currently pending. In view of the foregoing remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Eric Replogle at (408) 720-8300 x7514.


Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR
& ZAFMAN LLP

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